

PETITION TO CHANGE NAME OF INVENTOR

Applicant : Moolman et al.
App. No : 10/586,984
Filed : July 21, 2006
For : STABILIZATION OF ENZYMES
Examiner : Unknown
Art Unit : 1751

CERTIFICATE OF EFS WEB TRANSMISSION

I hereby certify that this correspondence, and any other attachment noted on the automated Acknowledgement Receipt, is being transmitted from within the Pacific Time zone to the Commissioner for Patents via the EFS Web server on:

September 5, 2007

(Date)

Marina L Gordey, Reg. No. 52,950

Mail Stop PCT
Office of PCT Legal Administration
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Notification of Missing Requirements mailed July 12, 2007 (copy enclosed) and the Decision mailed August 3, 2007 (copy enclosed), the name of the inventor Avashnee Shamparkesh Sewlall has been changed to Avashnee Shamparkesh Chetty and it is hereby petitioned that the change be made on the records of the PTO for this application.

An affidavit is attached which is signed by both names of the inventor, along with a certified copy of the marriage certificate (court order).

A Supplemental Application Data Sheet is enclosed.

The required fee under 37 C.F.R. 1.17(f) in the amount of \$400.00 will be paid through EFS Web.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: September 5, 2007

By: _____

Marina L Gordey
Registration No. 52,950
Agent of Record
Customer No. 20,995
(805) 547-5580



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/586,894	Francis Sean Moolman	ADADA4.001APC
INTERNATIONAL APPLICATION NO.		
PCT/IB05/00192		
LA. FILING DATE	PRIORITY DATE	
01/27/2005	01/28/2004	
CONFIRMATION NO. 5369		
371 FORMALITIES LETTER		
 OC000000024782034		

Date Mailed: 07/12/2007



NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 07/21/2006
- Copy of the International Search Report filed on 07/21/2006
- Copy of IPE Report filed on 07/21/2006
- Copy of Annexes to the IPER filed on 07/21/2006
- Preliminary Amendments filed on 07/21/2006
- Information Disclosure Statements filed on 07/21/2006
- Oath or Declaration filed on 07/21/2006
- U.S. Basic National Fees filed on 07/21/2006
- Assignment filed on 07/21/2006
- Priority Documents filed on 07/21/2006
- Power of Attorney filed on 07/21/2006

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) in that it:
 - Third inventor, Avashnee Shamparkesh Chetty, name changed due to marriage. Please submit proper supporting documentation.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the

missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is \$130 for a Large Entity:

- **\$130 Surcharge.**

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.
<https://sportal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

BARBARA A CAMPBELL

Telephone: (703) 308-9140 EXT 217

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/586,894	PCT/IB05/00192	ADADA4.001APC

FORM PCT/DO/EO/905 (371 Formalities Notice)



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

03 AUG 2007

Marina L. Gordey
Knobbe, Martens, Olson and Bear LLP
2040 Main Street, 14th Floor
Irvine, CA 93401



In re Application of
Moolman, et al.
Application No.: 10/586,894
PCT No.: PCT/IB2005/000192
Int. Filing Date: 27 January 2005
Priority Date: 28 January 2004
Attorney's Docket No.: ADADA4.001APC
For: STABILIZATION OF ENZYMES

DECISION

This application comes before the PCT Legal Office for matters arising under 35 U.S.C. 371.

BACKGROUND

On 27 January 2005, applicants filed international application PCT/IB2005/000192, which claimed priority of an earlier South African application filed 28 January 2004. A copy of the international application was communicated to the United States Patent and Trademark Office from the International Bureau on 01 September 2005. Accordingly, the thirty-month period for paying the basic national fee in the United States expired at midnight on 28 July 2006.

On 21 July 2006, applicant filed a transmittal letter for entry into the national stage in the United States which was accompanied by, inter alia, a declaration and the requisite basic national fee as required by 35 U.S.C. 371(c). This application was assigned U.S. serial number 10/586,894.

DISCUSSION

MPEP 1893.01(e) states, in part:

Where there has been no change of inventorship but the name of an inventor indicated in the international application during the international phase has changed such that the inventor's name is different from the corresponding name indicated in an oath or declaration submitted under 37 CFR 1.497, for example, on account of marriage, then a petition under 37 CFR 1.182 will be required to accept the oath or declaration with the changed name.

37 CFR 1.497(d) states:

If the oath or declaration filed pursuant to 35 U.S.C. 371(c)(4) and this section names an inventive entity different from the inventive entity set forth in the international application, or if a change to the inventive entity has been effected under PCT Rule 92bis subsequent to the execution of any oath or declaration which was filed in the application under PCT Rule 4.17(iv) or this section and the inventive entity thus changed is different from the inventive entity identified in any such oath or declaration, applicant must submit:

- (1) A statement from each person being added as an inventor and from each person being deleted as an inventor that any error in inventorship in the international application occurred without deceptive intention on his or her part;
- (2) The processing fee set forth in § 1.17(i); and
- (3) If an assignment has been executed by any of the original named inventors, the written consent of the assignee (see § 3.73(b) of this chapter); and
- (4) Any new oath or declaration required by paragraph (f) of this section.

A review of the application file reveals that the applicant/inventor known as Avashnee Shamparkesh Sewllall in the international application has since married and changed her name to Avashnee Shamparkesh Chetty. Applicant is required to file a proper petition under 37 CFR 1.182, along with the \$400 petition fee, in order to resolve this matter.

CONCLUSION

A proper response must be filed within TWO (2) MONTHS from the mail date of this decision. Any reconsideration request should include a cover letter entitled "Petition Under 37 CFR 1.182," and must include the requisite petition fee and an acceptable explanation of the facts as discussed above. Failure to file a proper response in a timely manner will result in ABANDONMENT of the application.

Extensions of time may be obtained under 37 CFR 1.136(a).

Any further correspondence with respect to this matter should be addressed to Mail Stop PCT, Commissioner for Patents, Office of PCT Legal Administration, P.O. Box 1450, Alexandria, Virginia 22313-1450, with the contents of the letter marked to the attention of the Office of PCT Legal Administration.



Debra Brittingham
PCT Special Programs Examiner
Office of PCT Legal Administration



Richard Cole
PCT Legal Examiner
Office of PCT Legal Administration

Tel: (571) 272-3280
Fax: (571) 273-0459

AFFIDAVIT IN SUPPORT OF PETITION TO CHANGE NAME OF INVENTOR

Applicant : Moolman et al.
App. No : 10/586,984
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For : STABILIZATION OF ENZYMES
Examiner : Unknown
Art Unit : 1751

Mail Stop Missing Parts
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This affidavit is made in support of the accompanying PETITION TO CHANGE NAME OF INVENTOR.

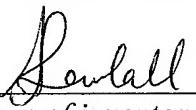
This affidavit is signed by the inventor by his/her prior name and is also signed by the inventor by his/her present (new) name.

- o The procedure by which the name change was effected was:

or

- o A certified copy of the court order is attached.

Avashnee Shamparkesh Sewlall


Sewlall
Signature of inventor (prior name)

Avashnee Shamparkesh Chetty


Chetty
Signature of inventor - present (new)



DEPARTMENT: HOME AFFAIRS
REPUBLIC OF SOUTH AFRICA
MARRIAGE CERTIFICATE

BI-27

J 2375204

(Issued in terms of the regulations made under the Marriage Act, 1961, Act No. 25 of 1961)

HUSBAND: ID No. **780202 5063 08 4**

Surname **CHETTY**

Forenames in full **EZEKIEL**

Date of birth: Day **02** Month **02** Year **1978**

WIFE: ID No. **751129 0121 08 5**

Maiden name **SEWLALL**

Forenames in full **AVASHNEE SHAMPARKESH**

Date of birth: Day **29** Month **11** Year **1975**

Date of marriage: Day **24** Month **01** Year **2004**

Marriage solemnized at **PHOENIX, DURBAN**

24/01/2004

Date of issue

Govender

Marriage Officer

D. 70

Designation Number

G.P.S. 05/03
(FULL GOSPEL CHURCH IN S.A.)
COMMISSIONER OF OATHS
MARRIAGE OFFICER
APPOINTMENT No. D 70
P.O. BOX 582266, CHATSWORTH, 4030

CERTIFIED A TRUE COPY OF
THE ORIGINAL
COMMISSIONER OF OATHS
Saleem

MADE ALAGBE
COMMISSIONER OF OATHS
CSIR Human Resources
P.O. BOX 395, PRETORIA, 0001
(In terms of Govt Notice R2477)